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 7 Telephone: (415) 398-6000  
 7 Facsimile: (415) 981-0136

8 Attorneys for:

9 REGAL STONE, LTD., FLEET MANAGEMENT, LTD., *in personam*, M/V COSCO  
 10 BUSAN, *in rem*

11 **UNITED STATES DISTRICT COURT**

12 **NORTHERN DISTRICT CALIFORNIA**

15 CHELSEA, LLC, MARK RUSSO, ALLEN ) Case No. C 07 05800 (SC)  
 16 LORETZ, and IVAN SIMPSON, )  
 16 individually and on behalf of all others )  
 17 similarly situated, ) **AFFIDAVIT OF**  
 17 ) **CYNTHIA HUDSON**  
 18 Plaintiffs, )  
 19 vs. )  
 20 REGAL STONE, LTD., HANJIN )  
 20 SHIPPING, CO., LTD., CONTI CAIRO )  
 21 KG, NSB NEIDERELBE, SYNERGY )  
 21 MARITIME, LTD., *IN PERSONAM*, M/V )  
 22 COSCO BUSAN, their engines, tackle, )  
 22 equipment, appurtenances, freights, and )  
 23 cargo *IN REM*, )  
 23 )  
 24 Defendant. )

## **AFFIDAVIT OF CYNTHIA HUDSON**

I, Cynthia Hudson, being first duly sworn upon oath, depose and state as follows:

1. I am a Senior Vice President with Hudson Marine Management Services (“HMMS”). HMMS was retained by Regal Stone’s third party insurer to audit and monitor clean up operations and process claims in accordance with OPA 90 and the federal regulations promulgated under that statutory scheme.

2. On April 29 and April 30, 2008, HMMS sent a Notice to approximately 1026 claimants who provided their contact information to HMMS in connection with the November 7, 2007 COSCO BUSAN oil spill in compliance with this Court’s April 25, 2008 Order (the “Notice”). Attached hereto as Exhibit “1” is a true and correct copy of the Notice sent to the claimants.

3. The Notice was sent directly (by certified mail) to every unrepresented claimant who provided their contact information to HMMS in connection with the claims process established in response to the November 7, 2007 COSCO BUSAN oil spill.

4. With respect to claimants who were represented in the claims process by counsel, the Notice was sent to the attorney of each such represented claimant by email. The email requested that the attorney immediately send the Notice to all claimants they represent. The attorney was asked to confirm in writing that they sent the Notice to their clients on behalf of HMMS. Attached hereto as Exhibit "2" is a true and correct copy of the email sent to the attorneys.

5. All attorneys except William Audet confirmed in writing that they sent the Notice to their clients as requested by HMMS. Mr. Audet stated that he would not distribute the Notice as drafted to his clients. In the past, Mr. Audet has advised that he will take action against HMMS if HMMS contacted any of his

1 clients directly.

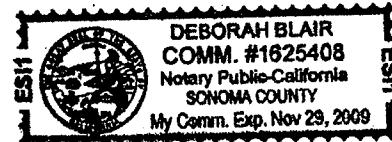
2       6. In compliance with this Court's April 25, 2008 Order, HMMS has  
3 amended the Prepayment Advance Form used in the claims process. Attached  
4 hereto as Exhibit "3" is a true and correct copy of the amended "Prepayment  
5 Advance Form."

6       7. I declare under penalty of perjury under the laws of the United States  
7 and the State of California that the foregoing is true and correct.

8       Executed this 1 day of May, 2008 at San Francisco, California.

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12       Cynthia Hudson

13       SUBSCRIBED AND SWORN TO this  
14       1 day of May, 2008



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17       Deborah Blair  
18       Notary Public  
19       My commission expires: 11/29/09

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**EXHIBIT 1**

**NOTICE**

Please take notice that if you have signed any Prepayment Advance Form, Release, or any other claims process form provided to you by Hudson Marine Management Services; Regal Stone, Ltd.; or Fleet Management, Ltd.; you have in no manner waived or prejudiced your right to join any lawsuit or class action including any such action against the above-named entities, related to the November 7, 2007 M/V COSCO BUSAN oil spill.

DATED: 28 April 2008



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HUDSON MARINE MANAGEMENT SERVICES

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**EXHIBIT 2**

Dear \_\_\_\_\_:

We write in reference to Judge Conti's orders and the case management conferences. In response to those orders our attorneys have asked us to send out the attached notice to all claimants. We of course will not communicate with your claimants directly, so we ask that you send these notices immediately to all claimants you and your firm represent.

As we will need to confirm in court that this has been done, could you confirm to us in writing by Thursday that this in fact has been done by your firm for your claimants. We also attach a list of those claimants we have listed as being represented by your firm. If your firm represents additional claimants not listed, please let us know immediately, and kindly send this notice to those claimants as well.

Please contact me with any questions you might have.

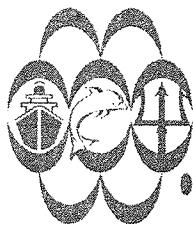
Best regards,

Cynthia

C. A. Hudson  
Hudson Marine Management Services/HudsonTrident  
4350 Haddonfield Road  
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USA  
Phone: +1-856-486-0800  
Fax: +1-856-486-0081  
cynthia.hudson@hudsonmarine.com

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**EXHIBIT 3**



# Hudson

Marine • Environment • Safety & Security

## **COSCO BUSAN CRAB FISHERMEN INITIATION/PREPAYMENT REQUEST FORM**

Claims by Crab Fisherman for Alleged Losses Due to COSCO BUSAN San Francisco Bay  
November 7, 2007 Oil Spill

Claim Number COBU \_\_\_\_\_ (if claimant has obtained one)

Legal or Business Name of Claimant \_\_\_\_\_

Social Security Number or Federal Taxpayer Identification Number \_\_\_\_\_

Copy of Photo Identification Obtained \_\_\_\_\_

Vessel Name and Vessel ID \_\_\_\_\_

Vessel Description \_\_\_\_\_

Bay Area Port \_\_\_\_\_

Proof of Boat / Business Ownership Obtained and Attached \_\_\_\_\_

Amount of Claim for Alleged Lost Revenue Incurred on or Before December 1, 2007, Due to  
Oil Spill \_\_\_\_\_

Does Claim Include Captain and All Crew?

Yes \_\_\_\_\_

No \_\_\_\_\_

Provide Names and available ID information below:

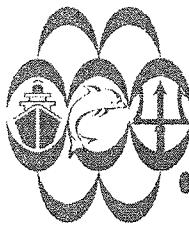
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# Hudson

Marine Environment Safety & Security

Claim Number COBU \_\_\_\_\_

If yes, List Name, Address, SSN, and Telephone Number for All Crew:

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Use separate sheet if needed

Describe Basis for Claim and if Exceptional Factors Exist regarding payment:

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List All Documents Attached Supporting Claim

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Have Legible California Fish and Game Tickets for the San Francisco District, SECTOR 10 ONLY, Been Obtained and Submitted herewith? \_\_\_\_\_

For first two weeks of season? \_\_\_\_\_

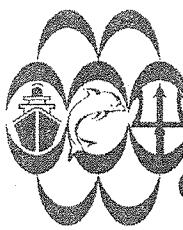
2006 \_\_\_\_\_

2005 \_\_\_\_\_

2004 \_\_\_\_\_

2003 \_\_\_\_\_

2002 \_\_\_\_\_



# Hudson

• Marine • Environment • Safety & Security

I agree to use this process to resolve my past and present claims only as it relates to my claimed past and present lost revenue due to the oil spill of November 7, 2007.

I certify under the penalty of perjury that I am authorized to submit this claim on behalf of the vessel owner and further declare the information contained herein is true and accurate.

Signed: \_\_\_\_\_

Dated \_\_\_\_\_

**CLAIMANT**

By participating in this process you have in no manner waived or prejudiced your right to join any lawsuit or class action related to the COSCO BUSAN San Francisco Bay November 7, 2007 oil spill.

## PROOF OF SERVICE

I, the undersigned, hereby declare that I am over the age of eighteen years, and I am not a party to the within action. My business address is Four Embarcadero Center, Suite 1500, San Francisco, CA 94111, and my telephone number is (415) 398-6000.

On the date indicated below, I served a true copy of the following document(s):

**AFFIDAVIT OF CYNTHIA HUDSON  
(IN SUPPORT OF COMPLIANCE WITH COURT'S ORDER)**

- BY E-MAIL:** I also caused such document(s) to be served electronically on all parties via the United States District Court's Northern District ECF e-filing system.
- State:** Pursuant to California Rules of Court, Rule 201, I certify that all originals and service copies (including exhibits) of the papers referred to herein were produced and reproduced on paper purchased as recycled, as defined by Section 42202 of the Public Resources Code. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 1, 2008 at San Francisco, California.

Rina D. Horenian